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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 10-0421 WHA
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.	)	
	)	
UBALDO VIVEROS AVALAS,	)	
	)	
Defendant.	)	
_____	)	

On July 20, 2010, the parties in this case appeared before the Court. The Court continued the matter until August 3, 2010. The parties agreed to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from July 20, 2010 to August 3, 2010, in light of the need for the defendant to consider a plea offer.

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1 SO STIPULATED:

2 JOSEPH P. RUSSONIELLO  
3 United States Attorney

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5 DATED: July 23, 2010

6 /s/  
PATRICIA SPALETTA  
Special Assistant United States Attorney

7  
8 DATED: July 23, 2010

9 /s/  
GEOFFREY HANSEN  
Assistant Federal Public Defender

10 Based upon the representation of counsel and for good cause shown, the Court finds that  
11 failing to exclude the time from July 20, 2010 to August 3, 2010 would unreasonably deny the  
12 defendant and his counsel the reasonable time necessary for effective preparation, taking into  
13 account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds  
14 that the ends of justice served by excluding the time from July 20, 2010 to August 3, 2010 from  
15 computation under the Speedy Trial Act outweigh the best interests of the public and the  
16 defendant in a speedy trial. Therefore, IT IS HEREBY ORDERED that the time from July 20,  
17 2010 to August 3, 2010 shall be excluded from computation under the Speedy Trial Act. 18  
18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

19  
20 SO ORDERED.

21  
22 DATED: August 2, 2010.  
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